IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M. A. NO...07.../2003

APPELLANT (CLAIMANT) : Ashish Kumar, S/O Ramprasad Bhardwaj, aged about 7 years, through ~~guardian~~ aged father Ramprasad Bhardwaj, aged 40 years, R/O Village Jali, Police Station Ratanpur, Dist Bilaspur (C.G.)

P. R. No. ... Presented by Shri Ashish Kumar Bhardwaj ... dated ...30/12/02...

VERSUS

RESPONDENTS (NON-APPLICANTS)

1. Laxmi Prasad S/O Anjore Ram aged about 29 years, R/O Ratanpur Police Station Ratanpur, Dist Bilaspur (C.G.)

2. Present Address through Shri Amolak Sing Bhatia, Dayalband, Bilaspur (Zip No. MP-26 F-0231 to present driver)

2. Amolak Singh Bhatia, S/O Shri H.S. Bhatia, R/O Dayalband, Main Road, Distr Bilaspur (C.G.)

3. United India Insurance Company Ltd. through Branch Manager branch office Rajendra Nagar Chowak Tehsil & Distt Bilaspur (C.G.)

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT :-

HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 7 OF 2003

Appellant : Ashish Kumar

Versus

Respondents: Laxmi Prasad & Others

(Arising out of Claim Case No. 37 of 2002)

3-2-2007

Ramprasad Bhardwaj father of appellant – Ashish Kumar appears in person with Shri Malay Kumar Bhaduri, counsel for the appellant.

None for respondents No.1 and 2.

Shri D.D. Poptani, Admn. Officer, United India Insurance Co. Ltd., with Shri Anand Kumar Gupta, counsel for respondent No.3.

Ramprasad Bhardwaj - father of appellant filed an application along with affidavit for permission to compromise the matter on behalf of appellant/minor – Ashish Kumar.

Not opposed.

Considered. Allowed.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.20,000/- (Rupees Twenty Thousand Only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
6) Out of the above amount, Rs.200/- (Rupees Two Hundred Only) shall be paid to counsel for the appellant directly by respondent No.3 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K.Shrivastava
Judge -Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri